THE HON'BLE SMT JUSTICE T. MEENA KUMARI
AND
THE HON'BLE SRI JUSTICE G. CHANDRAIAH

W.P.No. 14550 of 2007

ORAL ORDER:
(per T. Meena Kumari, J)

The Writ Petition is filed seeking to quash the order-dated 18.4.2007 passed by the learned A.P. Administrative Tribunal, Hyderabad in M.A.No.833/2007 in O.A.Sr.No. 2240 of 2007.

Brief facts of the case are:

Petitioner herein is the applicant and the Respondents herein are the Respondents before the tribunal. For the purpose of convenience, the parties as arrayed before the tribunal are referred to hereinafter. The petitioner has filed M.A.No.833 of 2007 seeking to condone the delay of 7 years 5 months and 27 days in filing the O.A.Sr.No. 2240 of 2007. Rejecting the plea of the petitioner to condone the delay, the learned tribunal has dismissed the said application. Challenging the said order, the present Writ Petition has been preferred.

Heard both sides.

As can be seen from the order of the tribunal that the applicant was awarded with a punishment of reduction in time scale of pay by two stages for one year with effect on future increments and pension treating the suspension period from 20.5.1994 to 16.9.1994 as "not duty" and the sick period from 9.6.1993 to 10.8.1994 as "Not Duty". Against the said order, the applicant preferred an appeal and the Additional Director General of Police passed orders on 28.7.1998 dismissing the appeal. The applicant filed this O.A.Sr.No.2240 of 2007 along with a condone delay petition on 26.2.2007. The reasons assigned for the delay is that his son and subsequently his wife are

effected with illness and that he was attending on them.

The learned counsel for the petitioner submits that the delay infilling the O.A.Sr. is neither wilful nor wanton, but due to the above said reasons and prayed to allow the Writ Petition.

The learned Govt. Pleader submits that there is abnormal delay in filing the O.A.Sr. and therefore he submits that the Writ Petition is not maintainable and the same may be dismissed.

Under these circumstances, we find that there are no convincing circumstances to condone the delay of 7 years 5 months and 27 days in filing the O.A.Sr.

Accordingly the Writ Petition is dismissed.

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T. MEENA KUMARI, J

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G. CHANDRAIAH, J

10.7.2007

CHV